IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THURSDAY, THE SIXTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

and

THE HON'BLE SRI JUSTICE K.C. BHANU

WRIT APPEAL NO : 1091 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 26/04/2005 in WP NO : 8449 OF 2005 on the file of the High Court.)

Between:

Nanneboina Brahmanandam, S/o. Late Hanumaiah,
R/o. 2nd Lane 1st Cross Road, Lakshmipuram, Guntur City.

..... APPELLANT

AND

1 The Government of Andhra Pradesh, Rep. by District Collector, Collectorate Buildings, Guntur.
2 The Revenue Divisional Officer, Collectorate Compound,

Guntur.
3 Mandal Revenue Officer, Guntur Rural Mandal, Guntur.
4 Andhra Pradesh Wakf Board, Rep. by its Chief Executive

Officer, Opposite to Public Gardens, Nampally, Hyderabad.

.....RESPONDENTS

Counsel for the Appellant:MR.D.V.REDDY

Counsel for the Respondents: GP FOR REVENUE & Sri S.M.Subhash, Advocate.

The Court at the stage of admission made the following :

J U D G M E N T (Per the Hon'ble Sri Bilal Nazki, ACJ):

The petitioner filed a writ petition seeking a declaration that the action of the respondents in dispossessing the petitioner from the land in question was arbitrary and illegal. The respondents before the Court submitted that the land was wakf property and it was gazetted in terms of the Wakf Act in Andhra Pradesh Gazette on 28-06-1962 and as such was notified wakf land. The learned Single Judge was right in dismissing the writ petition after observing that the petitioner had remedies under the Wakf Act. Since the disputed questions of fact could not be gone into in the writ jurisdiction, we do not find any illegality in the order passed by the learned Single Judge. The writ appeal is accordingly dismissed. No order as to costs.

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(Bilal Nazki, ACJ)

16th June, 2005

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(K.C.Bhanu, J)

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To

1 The District Collector, Government of Andhra

Pradesh, Collectorate Buildings, Guntur.
2 The Revenue Divisional Officer, Collectorate Compound,

Guntur.
3 The Mandal Revenue Officer, Guntur Rural Mandal, Guntur.
4 The Chief Executive Officer, Andhra Pradesh Wakf Board,

Opposite to Public Gardens, Nampally, Hyderabad.

5 Two C.Cs to the G.P for Revenue, High Court Buildings, A.P.,

Hyderabad (OUT)

6 The Principal District Judge, Guntur

7 Two C.D copies.